

REMARKS

Favorable reconsideration of this application in light of the preceding amendments and the following remarks is respectfully requested.

No claims having been cancelled or added, the Applicants respectfully submit that claims 1-20 remain properly under consideration in this application.

The Applicants respectfully note that the present Action does not indicate that the USPTO has received the certified copies of all priority documents. The Applicants respectfully request that the Examiner's next communication confirm receipt of the certified copies of the priority documents that were filed with this application.

The Applicants also respectfully note that the present Action does not indicate that the drawings have been accepted by the Examiner. The Applicants respectfully request that the Examiner's next communication include an indication as to the acceptability of the filed drawings or as to any perceived deficiencies so that the Applicants may have a full and fair opportunity to submit appropriate amendments and/or corrections to the drawings.

Elections/Restrictions

Election Requirement

As outlined in the Action, the Examiner is imposing an election requirement between four "Species" for prosecution in this application. As identified by the Examiner, Action at 2, the four Species each correspond to a different representative figure as follows:

Species 1 – FIG. 1;

Species 2 – FIG. 7;

Species 3 – FIG. 10; and

Species 4 – FIG. 15.

Applicants' Election with Traverse

In response to the Election requirement, the Applicants elect, with traverse, Species 3, corresponding to FIG. 10, for prosecution in this application.

In light of this election, the Applicants submit that claims 1-20 are readable on the elected Species and that claims 1-8 and 20 are generic to all of the indicated Species 1-4.

Applicants' Arguments in Support of Traversal

The Applicants respectfully contend that, as reflected in the Specification, FIGS. 1 and 7 are both drawn to a first embodiment (single metallization layer) and, similarly, that FIGS. 10 and 15 are both drawn to a second embodiment (at least two metallization layers). The Applicants respectfully maintain, therefore, that no sufficient basis or reasoning has been provided in the Action that would warrant treating different views of a single embodiment as separate species.

The Applicants, therefore, suggest that Species 1 and Species 2 should collectively be considered a single Species. Similarly, the Applicants suggest that Species 3 and Species 4 should collectively be considered a single Species. The Applicants also respectfully contend that the embodiments illustrated in FIGS. 1-7 and FIGS. 8-15 respectively, although distinct, are sufficiently related so that their simultaneous examination would present no undue burden. The Applicants, therefore, respectfully request that the Election requirement be reconsidered and withdrawn.

CONCLUSION

In view of the above election and remarks, the Applicants respectfully submit that claims 1-20 remain properly under consideration in this application and are in condition for allowance. A notice to that effect is respectfully requested.

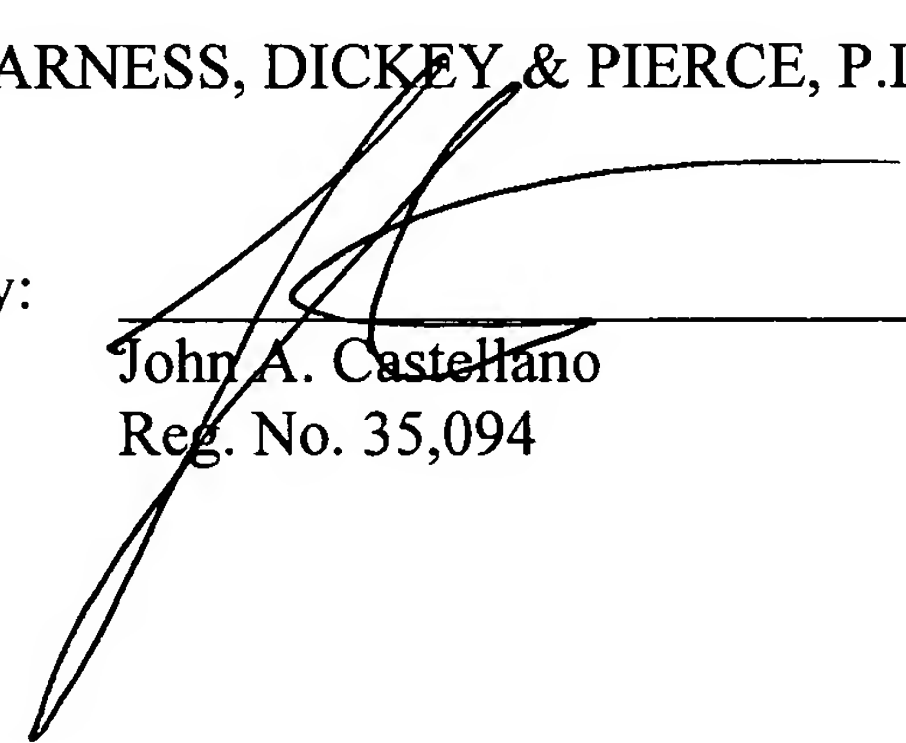
If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge any underpayment or non-payment of any fees required under 37 C.F.R. §§ 1.16 or 1.17, or credit any overpayment of such fees, to Deposit Account No. 08-0750, including, in particular, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By:


John A. Castellano
Reg. No. 35,094

P.O. Box 8910
Reston, VA 20195
(703) 668-8000


JAC/GPB